



Entered on Docket
April 12, 2010

Hon. Bruce A. Markell
United States Bankruptcy Judge

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HSBC Bank USA, NA, as Trustee for Nomura Asset Acceptance Corporation Mortgage Pass Through Certificates Series 2005-AR2
09-72643 / 1256015793

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEVADA

In Re:

Denise C. Rodery

Debtor

08-17300-bam

Motion no.

Date:

Time:

Chapter 13

ORDER VACATING AUTOMATIC STAY

Pursuant to the Declaration re Breach of Condition filed on March 17, 2010 and Debtors failure to cure the default prior to its expiration, and good cause appearing.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceeding is immediately vacated and extinguished for all purposes as to Secured Creditor, HSBC Bank USA, NA, as Trustee for Nomura Asset Acceptance Corporation

1 Mortgage Pass Through Certificates Series 2005-AR2 its assignees and/or successors in interest, and
2 Secured Creditor may proceed with a foreclosure of and hold a Trustee's Sale of the subject property,
3 generally described as 2319 Blue Luster Drive , Las Vegas NV and legally described as follows:

4 LOT SIX HUNDRED SIXTY FIVE (665) IN BLOCK "T" OF LEWIS HOMES-MEADOW
5 VALLEY NO. 13, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 57 OF PLATS, AT
6 PAGE 59, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY,
NEVADA.

7 EXCEPTING ALL WATER RIGHTS, PERMITS AND CERTIFICATES OF GRANTOR OF
8 WHATEVER KIND OR NATURE FOR GROUND WATER OR SURFACE WATER, AND
9 ANY AND ALL OTHER DECREES, ORDERS, OR JUDGEMENTS AFFECTING.
ADJUDICATING OR DECREEEING WATER RIGHTS TO THE END THAT THIS DEED
SHALL NOT CONFER, GRANT OR TRANSFER TO GRANTEE ANY WATER RIGHTS
WHATSOEVER, OR ANY CLAIM TO WATER OR WATER RIGHT.

10 AND FURTHER EXCEPTING ALL MINERAL, OIL, GAS, PETROLEUM, OTHER
11 HYDROCARBON SUBSTANCES, AND ALL GEOTHERMAL ENERGY SOURCES IN,
12 UNDER, OR WHICH MAP BE PRODUCED FROM THE WITHIN-DESCRIBED LAND,
13 WHICH LIE BELOW A PLANE PARRALLEL TO AND 5000 FEET BELOW THE
14 SURFACE OF THE WITHIN DESCRIBED LAND, FOR THE PURPOSE OF PROSPECTING
15 EXPLORATION, DEVELOPMENT, PRODUCTION, OR EXTRACTION OF SAID
16 SUBSTANCES BY MEANS OF MINES, WELLS, DERRICKS, OR OTHER EQUIPMENT,
PROVIDED, HOWEVER, THAT THE OWNER OF SAID SUBSTANCES SHALL HAVE NO
RIGHT TO ENTER UPON THE SURFACE OF THE WITHIN-DESCRIBED LAND, NOR TO
USE SAID LAND ABOVE SAID PLANE PARALLEL TO AND 500 FEET BELOW THE
SURFACE OF SUCH LAND.

17 pursuant to applicable State Laws, and thereafter commence any action necessary to obtain complete
18 possession of the subject property.

19 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall**
20 **give Debtors at least seven business days' notice of the time, place and date of sale.**

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee
3 of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its
4 secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the
5 foreclosure sale.

6 Wilde & Associates

7 /S/GREGORY L. WILDE

By _____

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9 Attorney for Secured Creditor

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